SUPPLEMENT TO THE

Bombay Gazette.

VOLUME I.] *SATURDAY, APRIL 18TH*, 1829. [NUMBER 11.

Advertisement

THE SUPPLEMENT to the Bombay Gazette, of the 4th April 1829, contains the Speech delivered by SIR JOHN PETER GRANT, on the closing of the Supreme Court of Judicature at Bombay.

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Gazette Office, 18th April, 1829.

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Undermentioned Publications,

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BOMBAY Register & Directory for 1829	5	,,	,,
Ditto...Ditto...Ditto...Hf. Bd.	7	,,	,,
Sheet Almanac for 1829	1	,,	,,
Bills of Exchange, per sett	,,	2	,,
Powers of Attorney, each	,,	2	,,
Interest Bonds, do	,,	2	,,
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NOTICE.

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Apply to the PRINTER.

Bombay, 18th April, 1829.

BOMBAY

ARRIVALS AND DEPARTURES.

ARRIVALS.—Capt. J. E. Brutchir, Madras Commissariate.
Asst. Surgn George Gray, Marine.
Lieut. George Wilson,
Lieut. G. Sterling, Queens Royals.
Lt. Col. L. Russell, Horse Artillery.
DEPARTURES.—Supd. Surgn V. Kemball,
Ensn. W. Ritchie, 41th Regt. M. N. I.
Lieut. R. Sillar, 8th Regt. N. I.
Lieut. A. N. Maclean, 8th Regt.
Lieut. G. Hawkins Do.
Lieut. W. H. Scriven, 5th Regt.

SHIPPING REPORT.

BOMBAY.

ARRIVALS.

None.—

DEPARTURES.

APRIL 16th.—Ship Cavendish Bentinck, Henry Potter Master, to Mangalore, Colombo, and Madras.
Do. The Hon'ble Company's Schooner Vigilant, Doss Mahomed Native Com. to Tankaria Bunder.
Passengers by Bentinck.—Capt. C. Gover.

Domestic Occurrence.

DEATH.—On the Morning of the 17th Inst. Mr. Thomas Byers, in Charge of the Saluting Battery, aged 33 years, leaving a Family, and large circle of Friends to deplore his irreparable loss.

NOTICE.

The public are repectfully informed that the Proprietors of this paper intend for the future to charge the usual advertising rates of six annas per line, for all announcements of Births, Marriages, and Deaths.

Bombay, 18th April 1829.

Exchange &c.

On London, ...at 6 months sight 1 | 9
Bengal, ... at 30 days sight, 107. 1. 50.
Madras, ...at 30 days sight, par.

BAZAR VALUE OF COMPANY'S PAPER.

Remittable notes 136 Bombay Rs. per 0 | 0 Siccas.
Unremittable do. 106½ do. per 0 | 0 do
Notes of the present 5 per Cent Loan opened at Bengal on the 18th August 1825, selling at 108 B'by, per 0 | 0 Siccas.

PRICE OF BULLION.

Spanish Dollars.....100 per 216 B'by Rs.
German Crowns.....100 per 212 Ditto.

FREIGHTS.

London.....Per Ton, £ 1 | 5.
China..... Per Candy, Nominal

We have no Arrivals to announce.

We imagine that the following Trial taken from McArthur's Treatise on naval Courts—Martial will be read with a *peculiar* Interest.

No. XIII. Case of Lieutenant FRYE of the Marines, and the Consequences resulting from illegal Proceedings at a Court Martial.

In the year 1743, Lieutenant Frye of the marines, serving on board the Oxford man of war, was brought to a court martial, at Port Royal, in Jamaica, by the captain of the ship, for having disobeyed his orders, in refusing to assist another lieutenant in carrying an officer prisoner on board the ship. Lieutenant Frye had persisted to have the captain give the order in writing. The evidence produced against him at the court martial, were the depositions of a parcel of illiterate people, reduced into writing several days before he was brought to trial, which persons were entirely unknown to him, having never to his knowledge seen or heard their names before; and upon his objecting to the evidence, he was browbeaten and over-ruled. On the charge being thus proved, he was sentenced to fifteen years imprisonment, and rendered for ever incapable of serving his Majesty. He was brought home, and his case after being laid before the privy council, appearing in a justifiable light, his late Majesty was graciously pleased to remit the punishment, and to order him to be released.

Some time after he brought an action in the court of Common Pleas, against Sir Chaloner Ogle, who had sat as president at the court martial, and had a verdict in his favour for 1000*l*, damages, it having been proved that he had been kept fourteen months in close confinement before he was brought to trial. The judge moreover informed him that he was at liberty to bring his action against any of the members of the said court martial he could meet with. The subsequent steps of this case are still more remarkable.

Upon application made by Lieutenant Frye, Sir John Willes, lord chief justice of the Common Pleas, issued his writ of capias against Rear Admiral Mayne, and Captain Rentone, two of the members who had sat at the above court martial; on the 15th of May, 1746, while Admiral Mayne presided, and Captain Rentone sat as member of a court martial, at Deptford, for the trial of Vice Admiral Lestock, they were both arrested, at the breaking up of the court, in consequence of the above writ.—The arresting of the president highly offended all the members of the court, they met twice on the subject, and resented highly what they deemed an insult, and drew up certain *resolutions*, in which they expressed themselves with some degree of acrimony against the lord chief justice; and the judge advocate was directed to deliver them to the board of admiralty, in order to their being laid before the king. In these resolutions they demanded "satisfaction for the high insult "on their president, from all persons how high "soever in office, who have set on foot this "arrest, or in any degree advised or promoted "it," and remonstrating that by the said "arrest, the order, discipline, and government "of his Majesty's armies by sea was dissolved, "and the statute 13 Charles II, made null "and void."

The lords of the admiralty were much displeased at the indignity offered the court, and accordingly laid the resolutions before his Majesty. The duke of Newcastle, by his Majesty's command, wrote to the lords commissioners of the admiralty, wherein he says, "His Ma-"jesty expressed great displeasure at the in-"sult offered to the court martial, by which "the military discipline of the navy is so much "affected; and the king highly disapproves of "the behaviour of Lieut. Frye on the occa-"sion. His Majesty has it under considera-"tion what steps may be advisable to be "taken on this occasion."

From the sequel it will appear that the lords commissioners of the admiralty, as well as the secretary of state, were not aware of the very great authority of the lord chief justice of Common Pleas; who, as soon as he heard of the resolutions of the court martial, caused each individual member to be taken in to custody, and was proceeding in legal measures to assert and maintain the authority of his office, when a stop was put to the process by the following submission (signed by the president, and all the members of the court*) being transmitted to Lord Chief Justice Willes.

"As nothing is more becoming a gentleman, "than to acknowledge himself to be in the "wrong, so soon as he is sensible he is so, and "to make satisfaction to any person he has "injured; we, therefore, whose names are un-"derwritten, being thoroughly convinced that "we were entirely mistaken in the opinion we "had conceived of Lord Chief Justice Willes, "think ourselves obliged in honor, as well as "justice, to make him satisfaction as far as it "is in our power. And, as the injury we did "him was of a public nature, we do, in this "public manner, declare, that we are now "satisfied the reflections cast upon him in our "resolutions of the 16th and 21st of May last, "were unjust, unwarrantable, and without any "foundation whatsoever; and we do ask par-"don of his lordship, and of the court of Com-"mon Pleas, for the indignity offered both to "him and the court."

This paper was dated the 10th of November, 1746, was received in the court of Common Pleas on the 14th, and ordered to be registered in the Remembrance Office—a memorial, as the lord chief justice then observed, "*to the present and future ages, that whoever "set themselves up in opposition to the laws, "or think themselves above the law, will in the "end find themselves mistaken.*" The letter from the court martial, together with Judge Willes's acceptation, were inserted in the Gazette of 15th November, 1746.

* Signed by Perry Mayne, esq. rear admiral of the Blue, president John Byng, rear admiral of the Blue.

CAPTAINS.

Honorable Ed. Legge	Jn. Orne
James Rentone	Thos. Frankland
Charles Coleby	Honorable Jn. Hamilton
Joseph Hamer	Sir Chas. Molloy
Smith Calis	Robert Erskine
Jn. Pitman	Chas. Cathford
Thos. Hanway	Edw. Sprague.

MADRAS.

GOVERNMENT SECURITIES,

APRIL 2*d*, 1829.

Six per Cent, Bengal Remittable Loan.

At the Rate of Subscription viz.

350 Madras Rupees per 335 Sicca Rs....30 *Prem.*

At the Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz.

106½ Madras Rupees per 100 Sicca Rs. 28 *Premium*

Five per Cent, Bengal Unremittable Loan.

At the Rate of Subscription viz.

350 Madras Rupees per 335 Sicca Rupees .2 *Do.*

At the Rate prevailing among Merchants and Brokers in buying and selling Public Securities, viz.

106½ Madras Rupees per 100 Sicca Rupees.. 2 *Do.*

Five per Cent.

Bengal New Five per Cent. Loan, of the 18th August; 1825. At the rate of Subscription, viz.

106½ Madras Rupees. 100 Sicca Rupees.... 2 *Do.*

SHIPPING INTELLIGENCE.

ARRIVALS.

APRIL 2.—Bark Edward and Eliza, George King, from Coringa, 16th March.
— 5th — Cutter Stree Anna Poornah, C. F. Paulier, from Point de Galle 13th March,
— Do. — H. M. Schooner Coohin, J. E. Bingham, from a Cruize.

DEPARTURES.

APRIL 2d.—Ship Albion, J. Ralph, for the Mauritius;
— Do. — H. M. Ship Success, W. C. Jervoise, Esq. for New South Wales;
— 4th — Ship Palembang. D. Nash, for Calcutta;
— Do. — Bark Betsabana, Nacodah Abdel Raheim, for the Eastward;
— Do. Brg Louisa, Sergeant for Masulipatam and Coringa;
— 5th — Ship Abgaris, R. Edwards for Calcutta.

LIST OF SHIPPING IN THE ROADS.

H. C. C. Ship Susan, Captain G. Holiday.
Ship Rockingham, Capt. Fotheringham.
Ship Hydrosee, Nacodah Shaick Nalubba.
Brig Minerva, Captain P. Phillips.
Brig Highland Chief, Captain O. W. Fermie.
Schooner Minerva, Captain J. Lyons.

Domestic Occurrences,

BIRTHS.—At Darwar, in the Southern Mahratta Country on the 25th of March, the Lady of JOSIAH NISBET, Esq. of a Daughter.

At Secundrabad, on the 22d March, the Lady of Lieutenant C. H. GRÆME, of the 5th Regiment Light Cavalry, of a Daughter.

DEATH.—At Egmore, on the 3d April, Mr. W. CHRISTIAN, aged 56 years.

We have been favored with the following remarks which will be highly useful for Commanders of Ships having occasion to touch at Amherst Island Harbour.—"Ships after rounding passage rock, should run to the Southward, and bring the Tomb-Stone of the late Lieut. Boye of the Hastings Frigate, which is on a high rock on shore, to bear West and by South, and the centry of Paget Island S. S. East, they will then anchor in 7 fathoms low water with muddy bottom, and the creek will be open to them, distance off shore about a quarter of a mile. H. ADAMS, *Commanding Flotilla*"—*Cal. John Bull, March* 23.—*Supt. to the Madras Govt. Gazette, April* 6.

CALCUTTA.

GOVERNMENT SECURITIES.

BUY.	MARCH 18, 1829.	SELL
26 0	Remittable Loan, (Prem.)	25 0 Prem
Disct. 1 4	Old 5 per Cent. Loan, Disct.	1 12
Dis. 0 6	New ditto Disct	010 } Dis
6000 0	Bank of Bengal Share	5800 0 }

RATE OF EXCHANGE.

BUY.]	CALCUTTA.	[SELL
1 10½	On London 6 Months sight, per Sa. Rs	1.11 *a* 2.0
	Bombay 30 Days ditto per 100 Bombay Rs....	98 0
	Madras ditto Sa. Rs. per 100 Madras Rs.	91 0 *a* 92 0

BANK OF BENGAL RATES.

Discount on Private Bills	8 0
Ditto on Government Bills and Salary Bills	4 0
Interest on Loans on Deposit.....	0 0

COURSE OF EXCHANGE

BUY.	CALCUTTA.	SELL
1 10½	On London 6 Months sight, per Sa. R .. }	1. 11

SHIPPING INTELLIGENCE.

ARRIVALS.

MARCH 27th.—The English Ship David Clarke, J. B. Vales, from Madras 18th March.
— 29th.—Brig Johanna, J Revely, from Mergui 10th March.

Passengers per David Clarke from Madras.—Mrs. Major Cotton, and Mrs. Col. Conway; Misses Conway, H. Conway, M. Cotton and Maria Cotton, Master S. Cotton; Major Sydney Cotton, H. M. 41st Regt.; Capt. John Henderson, H. M. 49th Regt.; Lients. Jas Piggott, H. M. 26th Regt. and Lister, N. I.; Ensign P. D. Streng. H. M. 13th Regt.; Assistant Surgeon G. R. Dartwell, H. M. 13th Foot; 163 European being a Detachment of H. M. Troops 31 European Women and 42 Children.

VESSELS EXPECTED TO SAIL.

MARCH 28th.—The Ship Exmouth, R. Graham, for Bombay, in 7 or 8 days.

The Bark Ann, E. Worthington, for Mauritius, in 23or days.

The Bark Mercury, Chas, Bell, for Singapore and China, in 2 or 3 days.

DEPARTURES.

MARCH 25th.—Ship Preciosa, P. G. Hjelm, for Stockholm

— 26th.—Ship Anna Robertson, C. F. Davis, for London.

— 28th.—Ship Alexander, D. Oliver, for Isle of France.

— Ship Hope, G. Morce, for Mauritius.

— Arab Ship Rainmany, J. C. Batta, for Persian Gulph.

— 29th—French Ship Jean Henri, P. Baudoin, for Havre and Bordeaux.

Passengers by French Ship Jean Henri. For Bordeux.—Mons. Jean Baptiste Burtin.

By Bark Mercury, Bell, For Bordeaux.—Revd. Mr. Bruckner, Missionary, and Miss Wallace.—For China;—F. De Souza, Esq. For Singapore;—C. Noyes, Esq.

Per Ship Merope For China.—Mrs A. Prinsep; R. Holdsworth Esq.; J. Hay, Esq.; Lieutenant G. P. Macgregor, H. C. Artillery; Captain Allen; Capt. Cliffe; Mr. Brown.

Domestic Occurrences.

BIRTHS.—At Muttra, on the 12th March, the Lady of Captain Thompson, Major of Brigade Agra and Muttra Frontier, of a Daughter.

At Lucknow, on the 15th March, Mrs. Margaret Wylde, widow of the late Lieutenant and Adjutant Charles Vincent Wylde, 14th Regt. B. N. I. of a Son.

At Calcutta, on the 26th March, Mrs. J. D'Santos, of a Son.

MARRIAGES.—At Calcutta, on Thursday evening, the 19th March, by the Reverend Fre Antonio, Mr. J. H. Hook, to Miss R. Henriques, the eldest Daughter of Mr. F. X. Henriques, of the General Post Office.

At Calcutta, on Wednesdy morning, the 25th March, at the Cathedral, by the Reverend J. R. Henderson, H. M. Child, Esq. to Miss Mary Confey.

DEATHS.—At Calcutta, on the 22d March, Master Frederick Robert Jones, Son of Mr. Charles Joshua Jones, aged 7 years, and 8 months.

At Calcutta, on the 25th March, Mrs. Eleanor Contopher, aged 38 years

At Calcutta, on Monday, the 23d March, Master James P. Jones, aged 10 years, 6 months and 8 days.

At Calcutta, on the 25th March, Mr. James Warwick Luke, Assistant Apothecary Honorable Company's Dispensary, aged 2 years, sincerely regretted.

At Calcutta, on the 26th March, Master William Wince, Son of the late Serjeant Joseph Wince, aged 7 years and 8 months.

At Calcutta, on the 27th March, Mrs. Amelia Courtez, Wife, of P. L. Courtez, Esq. aged 16 years, 4 months and 22 days.

THE FOLLOWING ARE GENERAL ORDERS ISSUED TO HIS MAJESTY'S FORCES IN INDIA.

Head-Quarters, on the River off Dacca 12th, March 1829.

No. 337. GENERAL ORDERS.

His Excellency the Commander in Chief in India has been pleased to make the following Promotions and Appointments, until His Majesty's pleasure shall be known:

16th Light Dragoons.

Cornet G. O' Halloran Gavin to be Lieutenant without purchase, vice Seward deceased, 5th January, 1829.

41st Foot

Lieutenant and Brevet Captain Dobson Young, from the 44th Foot, to be Captain without purchase, vice Pellicholy deceased, 12th February, 1829.

44th Foot.

Ensign J. Pennington to be Lieutenant without purchase, vice Young promoted in the 41st Foot, ditto ditto.

Henry Greville, Gentleman, to be Ensign without purchase, vice Pennington promoted, ditto ditto ditto.

45th Foot.

Captain Edward F. Boys to be Major without purchase, vice Hilton deceased 3d February, 1829.

Lieutenant W. H. Butler to be Captain without Purchase, vice Boys promoted, 3d February, 1829.

Ensign A. Clendinning to be Lieutenant without purchase, vice Butler promoted, ditto ditto ditto.

James Fullock, Gentleman, to be Ensign without purchase, vice Clendinning promoted, ditto ditto ditto.

The promotion of Captain Sandes and Lieutenant Wyatt, of the 47th Foot, in General Orders of the 10th February last, should bear date the 13th October 1828,

The Appointment of Assistant Surgeon Dartnell, from the 14th Foot, to be Assistant Surgeon in the 3d Buff's in the General Orders of the 29th November last, should bear date the 31st January 1829, and not 26th November 1828.

The undermentioned Officers have Leave of Absence, on private affairs;

16th Light Dragoons—Major Pearse, from the 1st April to the 1st October, with permission to visit the Hills North of Subathoo.

Ditto ditto—Captain Sperling, from the 15th April to the 15th October, with permission to visit Calpee and Agra.

14th Foot—Ensign Craigie from the 1st instant to the 30th of April, with permission to visit the Presidency

26th Foot—Lieutenant Piggot. Three Months from the date of embarkation at Madras, with permission to visit Cacutta.

The following Division Orders are confirmed:

By Major-General Sir S. Whitingham. K. C. B., &c under dates the 20th & 24th ultimo, permitting Captain McQueen, 44th Regiment to proceed on Medical Certificate, in auctication of general leave

By Major-General Pine, under date 2d instant altering the date of Major Bristow's receiving charge of the Brigade Office'

Lord Combemere takes this opportunity of conveying to Colonel Cotton C. B, his best thanks for the able and zealous manner in which he has conducted the duties of the Adjutant General,s Department, during the time he has been at its head.

By Order of the Commander in Chief,
J. ELLIOTT,
Assist. Adjt. Genl. H. M.'s Forces in India.

The heat of the weather, for some days past, for the season of the year, is altogether unprecedented, within the memory of the oldest Inhabitant of the Presidency. Within the last week we have been several times deluded with appearances indicating rain, but none has fallen and the salutary Northwesters which usually occur at this time of the year, have not yet visited us.—*Bengal Hurkaru, March* 30.

A few Cape Papers, up to the 31st December, have reached us. An Association, under the denomination of 'The Cape Town Philosophical Society,' had been formed. It is observed by a writer in one of the papers before us, that it is just such a Society as was required at the Cape. It embraces all persons of all persuasions, and of all ranks.

There was at Table Bay an unusual quantity of shipping, amounting to nearly twelve thousand tons. Many of the vessels, it is stated, were from the East, in ballast, after having touched in vain at the Mauritius. Bombay &Calcutta, it is added, they had been completely drained of every exportable article, and freights were as low as twenty shillings per ton. On the other side of the water there was a similar excess of tonnage, the river Plate being, like the Bay, encumbered with ships. In short, this branch of trade has been greatly overrated of late years, owing to the great profits which it formerly yielded.

Mr. WAGHORN had duly arrived at the Cape, and had been received with great kindness by the inhabitants; who, at a public meeting, passed several Resolutions in favour of his scheme of Steam Navigation, as follows.

1st. That it is the opinion of this Meeting, that great advantages would be secured to commerce by the accomplishment of Mr. Waghorn's plan.

2d. That it appears to this Meeting, that Mr. Waghorn's scheme for the conveyance of mails. &c. excluding passengers and freight, is judicious, and obviates most of the difficulties which have rendered former experiments unsuccessful.

3d. That the individuals composing this Meeting will consider it their duty to give every assistance in their power to Mr. Waghorn, in the prosecution of his praiseworthy undertaking, and earnestly hope that their friends in London and elsewhere will give it their encouragement and support.

4th. That a copy of the Resolutions be sent to His Excellency the Governor, requesting he will be good enough to forward them, with a recommendation of Mr. Waghorn's plan, to the consideration of His Majesty's Government.

5th. That a copy of the proceedings of the Meeting be forwarded by the Committee of the Commercial Exchange to the Cape Trade Society in London, requesting them to give every possible assistance to Mr. Waghorn, in the execution of his intended enterprise.—*The India Gazette March* 30.

SPIRIT OF THE INDIAN JOURNALS.

BENGAL HURKARU,—MARCH 23.

The very momentous proceedings in the Supreme Court at Bombay, to which we this day give place, will command the attention of every one capable of appreciating the importance of the Subject in these remote dependencies of Great Britain, of the legitimate authority of his Majesty's judges being held in respect and duly supported by all constituted authority. Sir John Peter Grant, the learned Judge of Bombay has placed on record in the fullest and most public manner', the grounds on which he maintains with the late Judge Chambers, that the jurisdiction of the King's prerogative writ extends over every portion of his Majesty's dominions however remote, and we believe that by all except those who are biassed by station and prejudice against them, these grounds are deemed perfectly impregnable. Be they good or be they bad, however, in Bombay, every one is bound to receive them as conclusive until at least they are declared otherwise by a higher tribunal at home. Here in India, no authority exists which can legally impugn the interpretation of the King's judges or *legally* oppose the execution of their decrees. It is therefore, a weighty responsibility which the Governor of Bombay takes upon himself when he opposes a military force to prevent the service of the King's writ of Habeas; and whatever may be the ultimate result, the measure must be regarded as establishing a precedent of a most dangerous character and tendency. It is difficult indeed to conceive the extent to which such a principal of interference may be carried. It involves almost the power of defeating altogether, the objects for which his Majesty's Courts were established; it makes British law dependent in fact, not upon the interpretations of British judges, but upon the circumstance of their decisions happening to accord or not with the conventional opinions of the Company's governments, of *their expediency!* It may be said indeed, that the *ordinary* jurisdiction of the Courts is so specifically defined, as to admit of no doubt or difference of opinion? but if *expediency* is to be set above law in the one case, it may in every case. It is not pretended that the local government has any authority to supersede the decision of his Majesty's Judges upon a point of constitutional law, in this any more than in any case of ordinary jurisdiciton; indeed its interference is justified wholly on grounds of *expediency* "The ground" say the Bombay Council in their most extraordinary letter to the Judges "upon which we act, have exclusive reference to considerations of *civil government and policy.*" If these grounds then, justify our resistance of the King's writ, a defiance of the decrees of the King's Judges, the security for the administration of British law and on that protection from the oppression to the Company's Government, for which King's Courts were established, is destroyed; since a local Government may at any time urge similar grounds of interference suppose that a native of high rank come to reside within the ordinary jurisdiction of the King's Courts; and while in that location, committed a murder, it might be *deemed expedient* to wrest him from the power of the law, and according to the precedent before us, that would be a sufficient ground on which to set aside the authority of the King's judges and defeat the ends of justice! It might be urged, that the jurisdiction was not questioned; but that the Company's authorities were so satisfied of the *expediency* of the case, that they would take upon themselves to make obedience to the legislature, all considerations of respect for the dignity of the offices of the King's Judges, and for the sacred claims of law and justice, give to it! What to-day is doctrine to-morrow is law.

Sir John Peter Grant it will be observed, has conducted himself with that firmness and temperance on the occasion, which are worthy of the dignified station he fills and reflect infinite honor on his character. His situation is extremely trying. Left alone on the Bench to support the decision of his late colleague and himself, we find his decrees defied by the authority from which he had a right to expect support, Justices of the peace instructed to refuse their aid to the civil power and a military force arrayed by authority against the officers of the Court, to oppose the execution of the King's writ of right! In these arduous circumstances, the learned Judge has displayed a degree of moderation which has never been exceeded. In order to prevent any effusion of blood, he has directed the attachment to issue to the Government. that they may have it executed. Of course they will not attend to it; and the issue will be, that the authority of the Court will be defied; but its dignity at least, will be maintained and the learned Judge will have that consolation which passeth show; while if the controlling authorities in England take that view of this question which might be expected from members of the national government, he will be supported in the course he has so honorably pursued.

MADRAS GAZETTE,—APRIL 1.

In the Asiatic Journal for October, is a letter on the subject of The New *Atlas* of India, a work projected on a large scale, particularly as applied to Southern India; the Maps of which being on a scale of one mile to four inches are drawn by the late Captain Mountford, than whom, it could not have devolved upon a more efficient person—To the most correct judgment he added the most accurate delineation, and the finest pencil possible to imagine. He excelled in whatever he undertook in the department to which he belonged. Some fears are entertained, that the premature death of this highly gifted and talented individual, may suspend the completion of the work, and we think this very possible; for, as we are aware he did not complete the set of Maps upon which his thoughts seemed particularly to rest, and as we have not heard that the work has been taken up by another, the fears entertained we apprehend are not unfounded.—We regret this in common with many more; for having seen some detached parts of the Maps we have no hesitation in saying, that, the superior talent displayed in their execution, justified the most sanguine expectations,

SINGAPORE.

Shipwreck.—We regret to have to mention the loss in the neighbourhood of this Port of a Portuguese brig called the Dourado. She left Macao on the 18th instant, bound for Bombay, and on the 25th, in the evening, experienced a severe squall from S. W., during which a small rock was seen a head supposed to be one of the rocks east of Point Romania. The brig immediately altered her course but not, unfortunately, so as to prevent her striking. She touched a reef of rocks, but, (as those who were on board of her express it) continued her course, but making a great deal of water, and then again touched by the stern which carried away her rudder and rendered her quite ungovernable. Every effort was made to steer her with canvas, but without effect. She continued drifting S and SSE and making much water. All hands were ordered to the pumps, but the water continued to gain upon them with such rapidity as to render it evident that nothing could save the vessel. At midnight, the Captain, with a part of the crew and passengers, left the brig in their large boat and the rest in a smaller one steering for Singapore. The large boats arrived here on Tuesday morning but the smaller one has not yet made her appearence. We are glad to learn, by the report of the persons who has arrived, that, as far as they knew, only one man, a Chinese, had been drowned. The brig had a valuable cargo of Dollars on board, (report say 500,000) in hopes of saving which the *Hastings*, and the *Kader Bux* have sailed in quest of the wreck accompanied by the Deputy Master Attendant in the Goverment boat, the *Active*. A guard of Sepoys has, very properly, been sent, in the Kader Bux we believe, to protect the wreck from depredation in case of its being found. Some divers have also been taken with the expedition, but as the vessel at the time she was abandoned was drifting to the South and might perhaps continue to floats for some time longer the possibility must be contemplated of her having sunk in water deep enough to cover her masts, in which case, the search for her will be what is called, we think, "a wild goose chase." We hope better however, and if any accounts reach us in the course of the forenoon we shall add them to what we are now writing, 'in the way of postcript.—*Chronicle January* 29.

English Extracts.

THE TIMES.—OCT. 3,

The measure of humiliation fills even to the overflow, and England descends to what BUONAPARTE in his insolence used to denominather "natural station"—namely, that of a third or fourth rate power. Had the French Emperor performed his threat, and, by the application of a force to which no other state in Europe had offered a successful resistance, plucked Great Britain of her shining plumage, and exposed her naked unadorned dimension to the world, there would at least have remained to the people of England the glory of a gallant fight, and the consolation of a fall was *inevitable*. Not such, unhappily, are the nature and circumstances of that decline from primitive grandeur, of which England has been recently exhibiting the progress, of which she now touches the consummation, and of which she almost at the same moment begins to taste the fruits.

Mean and ignorant councils have accomplished, in one short year of peace, that which the most gigantic arm that ever held a sword was beaten to the earth, after fiercely attempting in a war of 20 years' continuance: and since the accession of the present extraordinary Ministry that power which was erewhile accustomed to raise high her crest above all nations, and to move by a nod the political universe, has now become a by-word for treachery to friends and for abject resignation to the will of enemies, alike the formidable and the feeble.

The blockade of the Dardanelles by Russia is at length officially communicated to the merchants by the fitting authority of the Earl of ABERDEEN; and in passing, we may just observe, by way of commentary on some other communications from that Minister, that the same day which repels British commerce from the Dardanelles, announces its expulsion from the port of Lisbon likewise,—that capital of which the Government is so "friendly" to Great Britain! and so worthy of panegyric from the noble Lord, whose fellow-subjects it despoils and persecutes, and whose Sovereign and country it insults.

But for the Dardanelles,—and the notice of its blockade to our merchants. Bad as may be the measure itself, we protest that our mortification at any event, under all the circumstances so disgraceful to the British empire, is almost lost in wonder at the language in which it has been promulgated.

If the spirit evinced in Lord ABERDEEN's letter to Lloyd's be a trial of any Englishmen's patience, no human gravity can stand the force of the noble Secretary's logic.

We have repeatedly dwelt upon the fact that the KING's speech had announced to Parliament the pledge received from the Emperor of RUSSIA, that "His Imperial Majesty had "consented to wave the exercise in the Medi-"terranean Sea of *any* rights appertaining to "his Imperial Majesty, in his character of a "belligerent power."

This sweeping pledge to abandon her belligerent rights in the Mediterranean Sea by Russia we treated as grounds sufficient either to disbelieve the blockade, or, if authentic, to resist it; and we called upon the Ministers two day ago to explain in what sense they understood the pledge of Russia, so as to reconcile—if reconcile they could—their first insisting that Russia should wave her privilege as a belligerent, and their afterwards submitting to her violation of the pledge which they had boasted of obtaining. How, then, does Lord ABERDEEN get through the pitiable task assigned to him?

The first paragraph of his letter announces the Russian design to blockade, and to limit that operation to ships bound to Constantinople, and laden with articles contraband of war.

In the second, his Lordship finding that he could not get over the Russian, "waver" above alluded to, (which, indeed, we took proper care should meet his Lordship full in the face) begins by quoting his Imperial Majesty's consent to wave, &c.; and then what follows? Does he add that HIS MAJESTY'S Government has therefore taken "measures "to enforce upon Russia the fulfilment of her "pledge, and to protect at all hazards the ho-"nour of HIS MAJESTY'S Crown, and the "commercial rights and interests of his people?" Does Lord ABERDEEN, we say, subjoin to the notification of a breach of faith by Russia (for towards the conclusion of the same paragraph; he obliquely stigmatizes the blockade as such), a manly and encouraging assurance to the country, that the Government would not suffer its dignity to be so insulted? No such words, alas! can be found in this characteristic composition of the Foreign Secretary, and no such meaning extracted from him. The sense of the letter, on the contrary, runs thus:—His Imperial Majesty having consented that there shall be no warlike measure carried on in the Mediterranean against Turkey, Lord ABERDEEN communicates with the least possible delay to the merchants, that his Imperial Majesty has broken his imperial word, and has not only commanded a warlike measure, but that precise description of measures which superadds an attack on British commerce to hostilities "in the Mediterranean" against Turkey; and although such British merchandize as have already acted on the faith of his Imperial Majesty's promise, are *in the opinion* of His MAJESTY'S Government, not liable to be affected by the blockade, yet as His MAJESTY'S Government have consented that the pledge of his Imperial Majesty shall henceforth be good for nothing, the British merchants as well as the British Government must pocket the affront as well as they can, and submit themselves dutifully, if not very cheerfully, to the Imperial pleasure.

All remarks, after such conduct as this, would be irksome to ourselves, and useless to the men who provoked it. The fact is, that in the present condition of Ireland, there

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is no foreign state so contemptible, as not to presume on the hope of bearding this country with impunity; and when a creature like MIGUEL insults our pride, well may Russia venture to thwart our policy, and to obstruct our commerce.

MORNING CHRONICLE.—SEPT. 27,

The Evidence appended to the Report of the Committee on the Civil Government of Canada is exceedingly instructive, with respect to the consequences which flow from the establishment of a Government founded on corruption. The contiguity of the United States of North America, with the Institutions of which the witnesses are all familiar, and to which they constantly refer, has here been of infinite advantage. We have on the one hand Institutions of the most simple nature, leaving the inhabitants at full liberty to make the most of their situation, and limiting their activity only when it would trench on the just rights of others; and under those Institutions we see the people happy and prosperous, and advancing with an unheard of rapidity in the career of improvement. On the other hand, we see a country equally favoured in soil and climate unable to avail itself of its natural advantages, by the obstacles opposed by a Government with interests hostile to those of the inhabitants, and distracted besides by the jealousies produced by the intolerance of a hierarchy to which the great majority do not belong and never can be attached, and the grants to which, by impeding cultivation, render it still more an object of dislike.

Mr. ED. ELLICE, who inherited the last seigneury bordering upon Upper Canada, called Beuharnois, was anxious, under a clause passed at his suggestion in the Canada Trade Act in 1822, and under the Canada Tenures Act passed in 1825, to avail himself of their provisions with respect to his lands. But he found all manner of difficulties thrown in his way by the local authorities, between which and the Colonial Department at home he was bandied about so that he saw at last all further attempts were hopeless.—"The difficulty" he says, "arose from a very general cause of difficulty in that country—a dread on the part of the local authorities to act upon their own responsibility, complaining of defective instructions from home; and this aggravated by a perpetual reference backwards and forwards, from the Government to the Colonial Secretary, in the hope that they might at last agree upon the means of executing the provisions of the law. In my apprehension, the provision in the Act of 1822 was sufficiently clear for a Government that would have acted with any promptitude and energy, and would have felt interest in the object in view."

Mr. JOHN NEILSON, a native of Scotland, who has been thirty-seven years in Lower Canada, represented in the House of Assembly the County of Quebec for ten years, and one of the Canadian Deputies, a very sensible and candid witness, gives very valuable evidence as to the working of the system. Several of the questions put to this witness indicate, on the part of those who put them, an earnest wish to find out some substitute for honesty and justice, which might satisfy the Canadians; conceiving, no doubt, that the perfection of government is to devise means for pillaging, and at the same time blinding, the people. But the unfortunate neighbourhood of the United States!—"I do not think (he says) that the township people, or any other portion of the people of Lower Canada, would like to see a departure from the general principle, that the number of Representatives ought to be proportioned to the number of qualified Electors.',—"On what ground would it be unsafe?—"I think it is unsafe to deviate, in a matter of that kind, so greatly from the privileges which the people enjoy in the adjoining States; the people in Canada think they are entitled to privileges nearly corresponding with those which exist on the other side of the Line; and I do not think it is safe for this Government to deviate too much with respect to popular privileges from what exists in the United States of North America."—"If you were to be convinced that the practice which has been described exists in the neighbouring country, should you think that there is any ground of danger in adopting it in Lower Canada?"—"It is not very likely that I should be convinced on that subject; there may be something that I am not aware of, but I am almost certain that there is nothing that authorises a departure from the principle laid down in all the American Constitutions I have seen; but even if it were so, I do not think it is fair; *I think it is essential that justice should exist every where.* I think it is the foundation of all Government and all security."—"There is one thing that it is desired to give them which they have in the United States, and that is the power of regulating their own little concerns which I conceive contributes very much to the prosperity of the United States; every district of country regulates matters of common convenience, such as roads and bridges, What can be done by an individual is done, but what cannot be done by individual is done by a common effort of the whole community, as determined by the majority; whereas, in the Townships they can get nothing done without delays and expences . . . . With us, a man must make a journey to Quebec; he must go to a great expence; he must bow to this man, and bow to that man; and rap at this door, and at that door; and spend days and weeks to effect a little improvement of a road, of common convenience to a district; whereas, all that is done in the United States, without going out of his own small district."

Mr. NEILSON'S evidence is peculiarly instructive as to the necessary connexion between Church, and intolerance.—"Do you consider the present state of the Clergy reserves, as having had a very unfortunate effect upon the religious peace, and the general harmony and good will of the population of Canada towards one another?"—"Yes, if that were the only cause, things would not have been so bad as they are; they, no doubt, are the present bone of contention, but a contention connected with religion has been going on a considerable time, and it originated altogether, in my opinion, in the pretension which has been set up by the Church, of having an exclusive establishment in Lower Canada."

"Are there any religious animosites between the Pretestants and Catholics in **Lower Canada**?—No, not among the **people generally**; **but** there has been a good deal of apprehenshion on the part of many Catholics since 1817; the whole Government and Legislative Council being in the hands of Protestants, & particularly *of our Church*; the Corporation that was to manage the Schools, happened to be of the same description, and they attempted to establish these schools all over the province; some of the Catholics imagined that it was a kind of proselyting plan, and it raised some jealousy.

"Are the Committee to understand from what you have said, that if both the Protestant and Catholic religious are protected in their establishment in that country, and there is no appearance of any design on the part of Government to infringe on the rights of one or the other, that you do not apprehend that there will be any religious animosities between Protestants and Catholics in the Province of Lower Canada?—I should think so. It was not till 1821, upon the rejection of the School Bill sent up by the House of Assembly, giving the direction of the Schools severally to the Clergy of all religious denominations, that there did seem to break out any great jealousy on the part of the Roman Catholics. That confirmed them in the jealousies which they probably had internally before, on account of certain instructions already mentioned; but then they burst forth to great extent; since that time they have gone on increasing, but they did not believe, nor do they yet believe, that the Government of this country was at the bottom of it; they generally thought that it was something started in the Colony, and it has not, in consequence of that, got to so great a height as it would otherwise have got, *for amongst the body of the people at this present moment, no man asks whether his neighbour is a Catholic or a Protestant*; there are Catholics and Protestants in the same family and neighbourhood, and all living in perfect harmony. In truth, no country was ever more exempt from religious animosities than Lower Canada has generally been during the 37 years I have resided there.

"Are there any attempts to proselyte on the part of the Catholic Church!—No; *I think they are the least proselyting people that ever I have seen.* I have been frequently at the house of the Clergy, and they never talk to you about religion: generally the Canadian Roman Catholics shun every conversation about religion.

"Are the Catholic Clergy much respected by their flocks generally?—They are respected I believe, by every body in the country; I have never heard any body speak ill of them generally."

Mr. EDWARD ELLICE, speaking of the Catholic Clergy, says—"I think it necessary to state, that when I talk of the claims of the Roman Catholic Clergy in Canada, I do not believe a more liberal, benevolent, or charitable body of Christian Ministers exists in any country, or one whose conduct and habits are more exemplary or praiseworthy; and I am persuaded they will be found at all times disposed to lend themselves, consistently with the interests of their religion and Church, to every measure for the improvement and advantage of **their country.**

What a pity **so promising** an attempt to found a system of **Orangeism should** have been frustrated by the **contaminating notions** of the United States. The poor **Catholics of Canada** would have been **admirable subjects for** persecution.

NEAPOLITAN ATTACK ON TRIPOLI.

"TRIPOLI, Sept. 3.

"In a letter preceding this I informed you of the precarious situation in which we were placed by the threat of war on all sides. I believe I told you we had escaped a scouring from the Swedish squadron then at anchor in this roadstead; but that I felt persuaded the summer would not pass away without a visitation of that nature. The storm has already burst and passed away: it is desirable, therefore, to relieve the anxieties of our friends by an assurance of our safety.

"On the 22d of August the squadron of Naples hove in sight, consisting of three frigates of the largest class, two corvettes, one gun-brig, one schooner, four bomb-vessels, and eight gun-boats, under the command of the Baron Sozj Carrafa. On the failure of an attempt at mediation, the Neapolitan colours at their Consulate were struck, as a declaration of hostility, which was followed up on the part of the squadron by an attack in the afternoon of the 23d, when they sent us a few flights of shells, some of which fell in the streets, and through the houses in the town. The fire was returned from the batteries, and continued for about two hours. In the mean time the Christians had fled to the shipping. The town was chiefly occupied by the military, and the country by 40,000 Arabs, threatening such vengeance on the Christians as they might be enabled to inflict with muskets and knives. On the 24 h and 25th the operations of war were suspended by strong gales of wind, from which the refugees on board the merchant vessels suffered so much, that many chose to land at the English garden, and incur, as they imagined a precarious protection against the ferocious Arabs, rather than be subject to sea-sickness and the hazard of tempests. On the 26th, 27th and 28th a series of actions was fought at a very great distance, which lasted about four hours each day. The Tripolitan line of defence, consisting of the batteries, flanked by 15 gun-boats, returned a fire of rockets, shells, and shot, with such good interest, that although the Neapolitans invariably kept at a great distance, some of their boats were struck, as were also some of those of the Bashaw, but without injury to the crew. In these actions 396 shells were thrown, of which not above 10 reached the town after the first day. About 50 or 60 rockets were fired, and upwards of 4,000 cannon-shot by the Neapolitans, who, instead of taking up a close attacking position near the batteries, which it was expected they would have done merely put one frigate and a brig under weigh, which were opposed by a small schooner and a brig of 10 guns, who exchanged broadsides at a distance and without effect. Finally, when we rose on the morning of the 29th, in expectation of witnessing a renewed effort, we were astonished to find the Admiral under weigh, at a great distance, with his gun and mortar boats in tow. Already (the enemy not having been heard of since) the Bashaw has fitted out his corsairs to swoop upon the mercantile flag of Naples; and his Highness declares that he will not make peace without being paid 500,000 dollars and receiving indemnity for the expenses of the war, together with an annual tribute of 10,000 dollars. The consternation among the Christians was great indeed, but much to the credit of this wretched Government, although 60,000 men were under arms, not the slightest injury was offered or insult given.

"The Neapolitans suffered, how greatly we know not, but we could see some of their gun boats in a sinking state, towed out of action. The Tripolitans wanted but a good cause to merit the commendation of Europe for the bravery and skill of their defence. What is surprising is, that they did not suffer the loss of a man, except four, who were killed by the bursting of a mortar, and the charging of a gun without stopping the vent."—*The Times, Oct. 2.*

VISIT TO DR. GALL.

[FROM A COMMUNICATION TO THE BIRMINGHAM JOURNAL.]

Most of us find some amusement in tracing, on Fancy's tablet, the portrait of a person of whom we have heard much, and particularly after we have read many of the works of an author, but with whom we have had no personal acquaintance It generally happens however that our portrait is not correct, when we compare it with the original—thus it was with myself I found Dr. Gall (in 1826) to be a man of middle stature, of an outline well proportioned—he was thin and rather pallid and possessed a capacious head and chest. The peculiar brilliancy of his penetrating eye left an indelible impression. His countenance was remarkable—his features strongly marked, and rather large, yet void of coarseness The general impression that a first glance was calculated to convey would be, that Dr. Gall was a man of originality and depth of mind, possessing much urbanity, with some self-esteem and inflexibility of design.

After presenting my letters of introduction to him, at seven o'clock in the morning, he showed me into a room, the walls of which were covered with birds cages, and the floor with dogs, cats &c. Observing that I was surprised at the number of his companions, he observed, "all you Englishmen, take me for a bird catcher; I am sure you feel surprised that I am not somewhat differently made to any of you, and that I should employ my time talking to birds. Birds Sir, differ in their dispositions like men, and if they were but of more consequence, the peculiarity of their characters would have been as well delineated. Do you think, "said he, turning his eyes to two beautiful dogs at his feet, which were endeavouring to gain his attention, "do you think that these little pets possess pride and vanity like man?" "Yes, "I have remarked their vanity frequently." "We will call both feelings into action," said he; he then caressed the whelp, and took it into his arms—"Mark his mother's offended pride," said he, as she was walking quietly across the chamber to her mat, "do you think she will come if I call her?" "Oh, yes," I answered. "No, not at all." He made the attempt, but she heeded not the hand she had so earnestly endeavoured to lick but an instant before. "She will not speak to me to-day,,' said the Doctor.

He then described to me the peculiarity of many of his birds, and I was astonished to find that he seemed familiar also with their dispositions if I may be allowed the word. "Do you think a man's time would be wasted thus in England? You are a wealthy and a powerful nation, and as long as the equilibrium exists between the two; so shall you remain, but this never has, nor cannot exist, beyond a certain period. Such is your industry, stimulated by the love of gain, that your whole life is spun out before you are aware the wheel is turning, and so highly do you value commerce, that it stands in the place of self-knowledge and an acquaintance with nature and her immense laboratory."

I was delighted with his conversation, he seemed to me to take a wider view in the contemplation of man than any other person with whom I had ever conversed. During breakfast he frequently fed the little suitors who approached us near as their iron bars would admit. "You see they all know me," said he, "and will feed from my hand, except this blackbird, who must gain his morsel by stealth before he eats it; we will retire an instant, and in our absence he will take the bread." On our return, we found he had secreted it in a corner of his cage. I mention these, otherwise uninteresting, anecdotes to show how much Dr. Gall had studied the peculiarity of the smaller animals.

After our breakfast, he showed me his extentive collection, which I find is purchased by an Englishman, and thus ended my first visit to the greatest moral philosopher that Europe has produced; to a man, than whom few were ever more ridiculed, and few ever pursued their bent, more determinately despite its effects; to a man, who alone effected more change in mental philosophy than, perhaps, any predecessor; to a man, who suffered more persecution, and yet possessed more philanthropy than most philosophers.

In comparing the characters of two men who, from their associated labours, are generally spoken of at the same time, we might say of Dr. Gall that he possessed the greater genius, while Dr. Spurzheim is the most acute reasoner. To the former we are indebted for the discovery of a new doctrine, to the latter, for its adaptation to useful purposes. Gall astonished us by the vastness of his scheme of mental philosophy, Spurzheim by the attractions with which he adorned it. Gall possessed all the genius that commands respect, and Spurzheim the amiability of disposition that ever ensures it.—*Morning Chronicle, Sep. 30*

A WITCH.

We beg to inform Sir Walter Scott, that his Orkney heroine of the "Fitful head," has a cousin who lives at a celebrated promontory, on the very opposite side of Scotland and rife in all the elements of nautical danger. Her name is Jeany Nelson—her age four score and three years—her homicile a hut by the way side, within a few minutes' walk of the Mull of Galloway. The well-known "Norna," according to her historian, traded successfully on the credulity of the Orcadians, by selling small bags of *charmed wind*; but Jeany, though she was near enough the coast, has so little *brow* of trafficking with sailors, that she casts all her cantrips on dry land. More than twenty years ago, a young clergyman died in Kirkmaiden, almost immediately after he was placed; and as Jeany had been present at the ordination, and seen going between Mr. ——and the other ministers, just as they had come to that part of the ceremony which consists in the laying on of hands, the "silly auld body got a' the wyte o't. If the sickly clergyman had given her an *awmous*, the charm, we understand, would have had no effect, and the present incumbent is often admonished to put his hand in his pocket every time he "forgathers" with his *uncanny* parishioner. But Jeany herself is very angry at this blot on her good name, and denied most stoutly in our own hearing, "that ever she witched the minister ava." To aim an elfbolt at a *puttin'* caw, cast an evil eye on a *downing* bairn, or mutter, in secret such a malediction over the *kirn*, that not even the piston of a steam-engine, in place of wearied human arms, would force it to yield up a due contingent of yellow butter, are things more in the way of her calling; and strange as it may appear, a respectable farmer within the last four years, actually took it into his wise head that Jeany had cast her cantrips over his kine. "Either the kye were gieing less milk, or the goodwife was makin less cheese." and as the weather was favourable and the pastures sound, who should be to blame but the warlock woman? In these circumstances, he doggedly determined to be upsides with her, and approaching the cottage when he knew she was within, succeeded in putting the *hasp* on the door. This, to a woman who subsisted chiefly by wandering about the country, modestly soliciting a mouthful of food, or the materials of her knitting industry in winter, was, of course, a very serious grievance; and her witchship, when relieved by some good Samaritan, after many hours' confinement, was at no pains to conceal her wrongs. On the contrary, she insisted, as she had a good right to do, that her cottage, however humble, was her castle, and that nobody, however high in rank, had any right to invade her privileges as a British subject, and thus expose her to the risk of dying of hunger. And Jeany, we are glad to say, found friends in Kirkmaiden who took her part. A summons was threatened, if not sent, and the case, in consequence, referred to "two neutral men," who more for sport than any thing else, spun it out as long as if they had been regularly bred to the profession of the law, Divers meetings, were held on the subject, and not a few gills discussed on the head of it; speeches were delivered on each side; and witnesses examined, though not sworn, with all the other circumstances of a mock trial. One man stated, and was ready to depone, that he had seen Jeany Nelson in the shape of a hare, and fired at her with a gun carefully loaded with a "siller sixpence;" and farther, that the shot took effect in the back, and confined her to bed for weeks thereafter. And the rustic so far was perfectly right, for was Jeany about this time, whatever shapes she had formerly assumed, was laid up with a severe attack of lumbago. In the course of the investigation, another curious fact came out, which requires a word of explanation. At the festive meetings held in Liverpool, a bumper is always dedicated to the "Lancashire witches"—a toast which must be interpreted, not as complimenting "withered beldames auld and droll," but beautiful, blooming, young ladies. And these, in our days, are undoubtedly the more dangerous witches of the two, considering the clamour they cast in "folk seen." Accordingly, the farmer had a "Lancashire witch" in his own household—a rosy, laughing, blackeyed dairymaid, with as many followers in the character of sweethearts as ever danced attendance on "Tibby Fowler" herself, when "a' the lads were wooing at her." Some of them, perhaps, felt a little thirsty after a hard day's work, and a long walk; and the dairymaid, it appeared, was in the constant habit of treating them to libations of sweet milk, drawn from the udders of her master's cows. This fact, when espiseated, completely turned the tables against the farmer, and the arbiters immediately returned a verdict, ordaining him to pay to Jeany Nelson four stones of oatmeal, four pounds of otter, and lead her peats for two years. The *solatium* in itself was a matter of moonshine, but the defendant felt chagrined at the affront, which, as he conceived, had thus been put on him. But it was now too late to

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draw back; his name was appended to the Justice of Peace Court, was decided in his favour with all expences, after a patient hearing of circumstances, which almost made their worships split their sides with laughter. So much for the superstitions of the Rhinns of Galloway, and for an incident, which excited unbounded merriment in that secluded part of the country.—*Dumfries Courier.*

LONDON: MONDAY EVENING, Sept. 1.

The latest Foreign news will be found extracted in our Paper of this day. The fine weather which we now enjoy has given activity to every thing, and the reports from all the trading districts concur in the same tone with those from the agricultural parts of the country—that every thing is proceeding in a way which call forth public gratitude from all classes.—Upon this subject we refer to our leading article in the first page.

The Dean of Westminster has very properly concurred with the Dean of St. Paul's in refusing permission to a Club of the admirers of Lord Byron, to erect a monument to his memory in Westminster Abbey.—If the proposal had been made to a Committee of the London University, to allow a bronze statue of this nobleman to be put up in the portico of their own liberal Institution, we should have said, that the Committee would have acted both illiberally and inconsistently if they had denied the request made to them.—We have no hesitation to confess, that the doors of the London University ought to have been thrown wide open for the reception of a statue of this description.—To adopt the magnificent lines of Dryden—

"The genius of the place its Lord should meet
And bow its towery forehead at his feet."

It would be uncandid, however, to insinuate that the Committee would have had any reluctance to accede to a proposal of this kind. We have no doubt it would have been received with acclamation; and that when the resolution of the Committee should have been submitted in due course to the Board of Proprietors, that is to say, to the mechanics of London, there would not have been a dissentient voice against carrying it into full effect. It must be remembered that Lord Byron, as a poet and a public man, is a kind of exemplification, in a real character, and in a high station, of the great principle of the day in these Liberal Institutions; that is to say, of the paramount importance of genius and talent, and the absolute insignificance and indifference, whether such talents are seperated or associated with religious practice and belief. Lord Byron, therefore, and his statue, would have been perfectly at home in the hall of an academy which is devoted to this pagan principle. This would, of right, be the Pantheon in which to consecrate his memory, and in which to decree him, after the example of the French Institute to the great men of their times (we speak of the revolutionary period), the honours of an apotheosis. But we trust we shall never see the day, and we speak so without the slightest party feeling—if, indeed, on *such* an occasion, we could feel any thing of this kind—when a bold, bad man, a daring, profligate writer, and a person who lived as wickedly and as profligately as he wrote, shall be held up to the admiration, and, example of the youth of a Christian community, by a public monument, proposed to be erected to him, three years after his death, in the temple of the Awful and Supreme Being, the contempt of whose laws and revelation his writings abundantly profess. Look, for example, at his *Cain*!

If it were a question of merely civil rights, we should perhaps admit, that the community had nothing to do with Lord Byron's private religious opinions; but where the claim is to distinction and marked pre-eminence, and not to the ordinary rights of sepulture—in a Christian temple, and as regards Christian honours, it surely cannot be contended for a moment, that he is entitled to any eminence or distinction of this kind, whose life was passed in contempt and enmity, if we judge from his writings, to all religious principles.

It is beyond doubt the duty of the Dignitaries of the Church, to maintain the interests of religion, and would they adequately maintain them, if they held up to public honour, and to general imitation, such an example as that of Lord Byron?

[*Bell's Weekly Mess.*

WESTMINSTER SESSIONS.

STAGE COACH ASSAULT.

These Sessions commenced on Thursday morning before Mr. Const, and a full bench of Magistrates.

Charles Smith and *George King* were indicted for an assault upon Radcliffe Black, on the 3d of June last.

The prosecutor deposed that he is a soldier, and went to Piccadilly on the 3d of June to engage a seat on the coach to Windsor. The defendant Smith is the coachman of a Batch coach, and asked 5*s.* as the fare to slough. Prosecutor offered to pay him, but he said, "No, pay when I set you down." Witness got on the coach, but soon afterwards Smith told him he was sorry he could not take him, as the coach was engaged. Witness refused to give up his seat, upon which Smith the coachman, got the guard (G. King, the other prisoner), and a cad to assist him in forcing the witness from the coach. A person in the crowd called out "Soldier, do not come down, for a gentleman has offered them eighteen shillings for the seat." Witness was armed, but said that he would not use his arms, though he would resist by force as long as he was able. They then threw his cap in the street, and in spite of his utmost resistance they forced him from the top of the coach, but he still was on the wheel resisting, when Colonel Townsend came up and beckoned him to come down, which he accordingly did.

Another witness corroborated the evidence of the prosecutor.

This was the case for the prosecution.

Mr. Adolphus, for the defendant, said the bargains made by coachmen with individuals for short distances are always conditional, upon there being room, for the seats upon the long coaches are engaged at the offices, and the coachmen, therefore, could not make any other than a conditional engagement. What did King do? He took precisely the very step which would avoid an assault. (A laugh.) "I will," he said, "throw his cap into the street and his head must follow it, and this will remove the cause of contention." His client therefore, was entitled to an acquittal.

Mr. Bodkin then addressed the Jury for Smith.

The Chairman said, that the conduct of the defendant was perfectly illegal. The prosecutor had contracted with the coachman to be conveyed to Slough, and it was quite indefensible in the prisoners to remove him from the coach, because they could procure another passenger, who was going to a greater distance.

The Jury found both defendants guilty, and the Chairman sentenced them to two month's imprisonment.

Mr. Adolphus said King bore an excellent character, and that the imprisonment would be a great grievance to him.

The Chairman—Therefore I inflict it. The public is interested in this case, and I do not think that any pecuniary compensation to the prosecutor would satisfy the ends of justice. Besides, the regiment to which the prosecutor belongs would not permit him to accept money in such a case.

Extraordinary Occurrence.—The opinions and attention of the inhabitants of Lower Britanny, have been engrossed by the following most extraordinary occurrence, and which perhaps stands alone for its singularity in the neighbourhood of St. Brieux. A family of peasants of the name of Ganvine, consisting of the husband, wife a sister, and two children: a boy and girl, which had resided there for some years, and who were upon terms of intimacy with the rest of the inhabitants, all of a sudden altered their general line of conduct, and upon last Shrove Tuesday two years, they ceased to hold communication with their neighbours, and from that period no one of the family has been heard to utter a single word. This extraordinary circumstance coming to the knowledge of the Bishop of St. Brieux, through a deputation of the inhabitants, he sent a celebrated Priest to endeavour to learn the cause of their profound silence; the priest, upon entering the house, exerted his utmost eloquence to be informed of the cause, but finding that of no avail he threatened the whole family with the thunders of the church with as little success as before they remained as still as statues. He ultimately took the little girl aside, but not a word could he get from her. The neighbours finding the church had no power over them, applied to the Secular Power, when the Prefect of the Provden ordered the husband to be apprehended; he was examined, but the ingenuity of the worthy Prefect was thrown away, and he committed the husband to prison; he their remained eight days without speaking, eating or drinking; he was at lenght prevailed on to eat, when he took a small quantity of food—he was then the discharged. In consequence of this extraordinary conduct, and having no communication with their neighbours, their agricultural implements became worn out, when their neighbours placed some new ones, and repeatedly provision in their places, which the silent family placed outside the doors without touching them. On one occasion the neighbours entered the house in the night, thinking to discover the cause of their mysterious conduct, when the family who were in bed rose, but seeing them neighbours retired to bed, without taking any notice. A few days since, the daughter, who was 13 years of age, was not seen by the neighbours; after some days watching they beheld the whole of the family to go to the fields, when they entered the cottage; and on going to a bed, they discovered her to be quite dead, and decomposition to have taken place to a considerable extent while myriads of maggots, or worms, were busily engaged in the work of destruction. On making this discovery, Gauvine was again taken up.—*Morning Paper.—Bell's Weekly Messenger, September 8.*

VARIETIES.

Ownership of Land Recovered from the Sea.—An event has recently occurred at Hastings of importance to persons occupying land by the sea. A piece of land on the west of Hastings, situated between the Priory Bridge and the White Rock, on which between two and three hundred houses are standing, being occupied by about a thousand inhabitants, has recently been claimed by his Majesty's Commissioners of Woods and Forests, and the occupants have been served with notices of ejectment. This land, within the memory of some of the inhabitants of the town, was sea beach, and was first covered with earth for the purpose of being converted into a cricket ground. Portions of it were afterwards gradually inclosed for yards and warehouses, cottages, &c. About four years ago, during the rage for speculation, and when land became very valuable, some of the occupiers began to extend their inclosures. This excited a desire in others to become possessed of similar plots of ground, and a general rush was made, especially among the builders, each seizing what he could get, and enclosing it for the purpose of building. It appears, however, the land forsaken by the sea is not the property of the Crown, but of the owner of the nearest land above high water mark. This has just been decided, and we think correctly so, for supposing that the sea makes any incursions on the adjoining land the owner must be the loser; he ought, therefore, to be allowed the benefit of that and from which the sea may happen to retire.—*Kentish Gazette.*

Society of Brompton Archers.—On Tuesday last this society had a grand field-day on their ground, at the back of Sloane-street. Sir Theophilus Lee, the patron of the society, presented the best shot, or captain of the day, with a gold medal, which Sir Theophilus, in an appropriate speech, declared to be intended as a reward for the best shot of the day, on all occasions of the society's meeting. The second prize was a siver medal, presented by Robert Cruikshank Esq., to be worn by the lieutenant, or second best shot of the day; and the third prize was a pair of guilded arrows, presented by a senior member of the society. The gold medal was won by R. Cruikshank, Esq.; the silver medal by T. Griffiths, Esq.; and the arrows by G. G. Mitchell, Esq. Marquees were erected upon a very handsome scale, and refreshments were served up to a very numerous assemblage of ladies and gentlemen, who were admitted by tickets from the members only. We understand it is intended to recruit for ladies, with which addition the society will become complete.

Placemen.—A Parliamentary paper, just published, contains a table of the number of persons employed in all public offices, and the gross amount of their salaries at different periods. From this table we find, that the number of placemen of the Civil class, in 1797, was 16,267; in 1819, it was 24,414; and, in 1827, it was reduced to 22,912. The gross sum paid in salaries to these persons, in 1797, was 1,374,561*l.*; in 1819, it was 3,167,441*l.*; and in 1827, it was 2,788,907*l.* The reduction in the number and expense, however, since 1819, we believe, is in part only apparent, as many of the persons dismissed have been placed on the pension fund; and before they die off, the probability is that the establishments will have crept up quietly to their old standard. But taking the number and pay as they stand, 22,900 persons from a prodigious corps of placemen. In the reign of George 3. the army during peace, consisted of about 18,500 men, and the whole peace establishment is thus given by Sir John Sinclair, in his "History of the Revenue:"—

Civil List	£850,000
Navy	750,000
Army	900,000
Ordinance	73,000
Miscellaneous Service	20,000
	£2,583000.

The corps of placemen, therefore at present exceed in number, by 4,000 men, the whole army in the reign of George the First! and the aggregate of their salaries exceeds the whole amount of the peace expenditure in that reign! But when we add to this about 5,000 officers in the army and navy, 6,900 or 7,000 persons on the half-pay, and probably as many more in civil and military capacities in the Colonies, we have a corps of upwards of 40,000 placemen (exclusive of the clergy) receiving in one way and another, ten or twelve millions per annum; a thing unmatched in the history of the world! Even this does not give a complete idea of the number of individuals Government is able to provide for, since there are many public funnel counties whose gains are derived from fees, or from emoluments which attach to the office, without regard to the personal abilities of him who fills it.—*Scotsman.*

Princes of Wales.—There has recently been submitted to his Majesty a [illegible] and splendidly illustrated work of the lives and actions of all the Princes of Wales. The memoirs are written in a beautiful hand, and in the various characters and after the style of writing of the different ages, and present singular specimens of penmanship. Each life has appended to it a likeness of the Prince, painted somewhat according to the manner of illustrating formerly missals, &c., and heightened with gilding, precisely after the manner of ancient [illegible]. There is a portrait of every prince, from Edward of Carnarven to his present Majesty, several of which have never been even engraved. That of Henry VIII. is wonderfully executed; the likeness of the last Prince of Wales (now George IV.) is from one set round with diamonds, presented to the present Lady Maryborough many years ago. The several portraits are within rich borders of gold, in the taste of each period of art, with embellishments of armorial bearings, heraldic badges, copies of all the monograms of Princes of Wales in existence, &c. The commencement of each life is characterised by an illuminated capital letter, after the manner of rare and valuable ancient missals in raised gold—an art that was lost, but which has been restored by this artist. It is the work of *ten years'* study and application. His Majesty returned a letter with the work, expressive of his high admiration of it.

Chess Match, between the London and Edinburgh Clubs.—This extraordinary match, which commenced on the 24th of April, 1824, has just terminated in favour of the Edinburgh players—the fifth game, on the result of which the match latterly depended, having been resigned by the London club on the 31st of July. There does not appear to be any decided error in this game. The other games resulted as follows:—The first was drawn at the 36th move; the second was won by the Edinburgh club at the 53d move; the third, which lasted upwards of three years, and is perhaps the finest game of the match, was drawn at the 99th move; and the fourth was won by the London players on the 55th move. We understand the greatest cordiality has prevailed between the clubs during the match.—*Caledonian Mercury.*

John Diamond, of Hanwell, Middlesex, who lost his eye sight by the small pox when only a month old, though unable to read himself, has learned the art of teaching others, and actually makes it his profession. It should be premised, however, that his scholars must previously know their letters, and have some idea of the method of combining them; for the rest his memory supplies the defect of eye-sight. Some of our readers may perhaps recollect having seen in several of the periodical publications a calculation of the middle chapter, verse, &c. of the Bible, with an account of the number of times that some of the most common words occur, with many other particulars, the whole said to be the labour of three years. This was the amusement of Diamond's leisure hours. A few years ago, he published an account of two solar eclipses. He is sufficiently versed in the doctrine of the celestial aspects to profess the art of calculting nativities, and passes as a conjuror of a very superior class among the vulgar. He frequently walks alone to the distance of one or two miles, with the assistance only of a stick. His brother, who kept a little stationer's shop in London, left him at his death 4*l.* a year to buy almanacks for sale; and it is understood that he gets a trifle by purchasing some of the weekly publications, from Paternoster-row, and lending them to read.

There is at present living in Cochrane street, in this city, a woman named Elizabeth Muir, but better known by the name of Widow M'Donald, who, on Tuesday last, according to her own statement, completed her 102d year. According to a Bible in her possession, she was born in the Bridgegate on the 4th of August, 1726. Her mental powers she affirms to be as strong and active as they were when she was in the prime of her life, and she enjoys in general excellent health. Her sight has, in a great measure, failed her, but otherwise she has experienced few of the troubles and weaknesses incident to old age. She is tall, and her form still retains all the erectness, and much of the activity of youth.—*Glasgow Chronicle.*

In the month of September last, Mlle. George the celebrated French actress, after playing the part of *Cleopatra*, at Rouen, put away her diamonds (twelve ornaments, each worth 3,000 francs.) On the following day one of the ornaments was missing, and suspicion falling upon Zanoli, her waiting woman, her boxes were searched, and the stolen diamonds were found. Zanoli was tried a few days ago at Rouen for the theft, and condemned to four year's imprisonment. Much laughter was excited at the trial by one part of the evidence. When the prisoner was detected, she implored for mercy, on the ground of its being the first theft she had committed. Mlle. Georges, however, replied, "Many thanks for the preference."

[*Bell's Weekly Mess. Aug[illegible]st.*

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